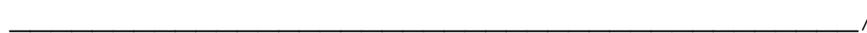


2/20/2014

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DETROIT BOARD OF POLICE COMMISSIONERS

REGULAR MEETING



PAGES 1 TO 65

Taken at Detroit Public Safety Headquarters
1301 Third Avenue
Detroit, Michigan,
Commencing at 3:00 p.m.,
Thursday, February 20, 2014,
Before Wendy A. Boer, CSR 3505.

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COMMISSIONERS :

- MS. JESSICA TAYLOR, CHAIRPERSON
- MR. DONNELL WHITE, VICE-CHAIRPERSON
- MR. WENDELL L. BYRD, COMMISSIONER
- MR. WILLIE E. BELL, COMMISSIONER
- MS. LISA CARTER, COMMISSIONER
- MR. RICHARD SHELBY, COMMISSIONER
- MR. REGINALD CRAWFORD, COMMISSIONER
- MR. RICARDO R. MOORE, COMMISSIONER
- MR. WILLIE E. BURTON, COMMISSIONER
- MS. ALIYAH SABREE, COUNSEL TO THE BOARD

REPRESENTING THE CHIEF OF POLICE'S OFFICE :

- DEPUTY CHIEF LASHINDA HOUSER
- ASSISTANT CHIEF JAMES CRAIG

1 Detroit, Michigan
2 Thursday, February 20, 2014
3 About 3:00 p.m.
4

5 CHAIRPERSON TAYLOR: We're going to go ahead
6 and get started, call the meeting to order. The meeting
7 is called to order at 3:00 p.m., on Thursday,
8 February 20, 2014. I'm Commissioner Jessica Taylor.
9 And I would ask the Board's attorney, Aliyah Sabree, to
10 call the role, please.

11 ATTORNEY SABREE: Good afternoon. For the
12 record, Aliyah Sebree, attorney for the Board. At this
13 time I will do a role coil. Commissioner Jessica
14 Taylor?

15 CHAIRPERSON TAYLOR: Here.

16 ATTORNEY SABREE: Commissioner Donnell White?

17 COMMISSIONER WHITE: Present.

18 ATTORNEY SABREE: Commissioner Richard Shelby?

19 COMMISSIONER SHELBY: Here.

20 ATTORNEY SABREE: Commissioner Wendell Byrd?

21 COMMISSIONER BYRD: Present.

22 ATTORNEY SABREE: Commissioner Reginald
23 Crawford?

24 COMMISSIONER CRAWFORD: Here.

25 ATTORNEY SABREE: Commissioner Willie Bell?

1 COMMISSIONER BELL: Present.

2 ATTORNEY SABREE: Commissioner Willie Burton?
3 Commissioner Lisa Carter?

4 COMMISSIONER CARTER: Here.

5 ATTORNEY SABREE: Commissioner Ricardo Moore?

6 COMMISSIONER MOORE: Present.

7 ATTORNEY SABREE: Madame Chair, we have a
8 quorum.

9 CHAIRPERSON TAYLOR: Thank you, ma'am. And
10 I'd like to introduce from the chief's office, DC
11 Houser.

12 DEPUTY CHIEF HOUSER: Yes, ma'am. Good
13 afternoon, ma'am.

14 CHAIRPERSON TAYLOR: Madame Attorney, can you
15 go ahead and introduce the rest of the staff?

16 ATTORNEY SABREE: Thank you. I'm standing in
17 for our secretary to the Board, George Anthony. Also,
18 we have in the front row, Pamela Davis-Drake, the chief
19 investigator of the Office of the Chief Investigator,
20 Gail Oxendine, director of police personnel.

21 We also have Robert Brown, our office manager.
22 Our recorder today is Police Officer Dan Donakowski.
23 And our court reporter today is Wendy Boer.

24 CHAIRPERSON TAYLOR: Okay. Thank you. At
25 this time, I'm going to ask Commissioner White if he

1 could give us a word of prayer.

2 COMMISSIONER WHITE: Certainly. Let us pause.
3 Dear heavenly father, we thank you for the blessings of
4 a new day. We ask that you bless this convening of this
5 body that we may serve the citizens of this great city
6 that is to your approval. We ask a special blessing
7 over the men and women who suit up and serve each and
8 every day, that you might be a hedge of protection
9 around each and every one of them. Watch over those who
10 are still en route to this place, and watch over us as
11 we leave this place. We ask all those things in the
12 mighty name, who was able to keep us all from falling.
13 Let those who love the lord say amen.

14 CHAIRPERSON TAYLOR: There is a motion in
15 order to approve the agenda for Thursday, February 20,
16 2014.

17 COMMISSIONER CARTER: So motioned.

18 COMMISSIONER MOORE: Second.

19 CHAIRPERSON TAYLOR: It's been moved and
20 seconded. Is there any questions? All in favor?

21 COMMISSIONERS: Aye.

22 CHAIRPERSON TAYLOR: All opposed? Agenda
23 stands approved. There is a motion in order for the
24 approval of the minutes for Thursday, February 13, 2014.

25 COMMISSIONER CARTER: So motioned.

1 COMMISSIONER WHITE: Support.

2 CHAIRPERSON TAYLOR: It's been moved and
3 supported. Are there any questions? All in favor?

4 COMMISSIONER: Aye.

5 CHAIRPERSON TAYLOR: All opposed? The minutes
6 stand approved as read. There is no chairperson's
7 report today. I would ask our Board attorney if she can
8 do the secretary's report.

9 ATTORNEY SABREE: Thank you, Madame Chair. I
10 have a secretary's report for citizen complaints
11 received for January, 2014. The monthly count of
12 complaints for January, 2014, was 108; in comparison to
13 2013, for January of 90 complaints. And that's a
14 20 percent increase. At the end of January, 2014, the
15 Office of the Chief Investigator had 245 open
16 investigations, 108 cases filed and 120 cases closed.

17 Of the 108 cases filed, 40 percent involved
18 unknown officers. The alleged known units involved
19 leading in complaints filed in January, 2014, were the
20 Northeastern District which accounted for 10 percent,
21 the 10th Precinct which accounted for 6 percent and the
22 Eastern District which accounted for 6 percent. The
23 108 cases filed in January, 2014, involved 209
24 allegations where the leading areas of concern were
25 procedure which accounted for 28 percent of the

1 allegations, demeanor 26 percent, service 11 percent,
2 and force and search, 9 percent. Thank you.

3 CHAIRPERSON TAYLOR: Are there any questions
4 for Attorney Sabree? If not, I'd like to acknowledge
5 the presence of Commissioner Burton who has joined us.
6 Now we will have a -- from the chief's office, is there
7 a chief's report?

8 MS. HOUSER: There is no chief's report other
9 than the report presentation. Yes, ma'am.

10 CHAIRPERSON TAYLOR: All right. Ms. Oxendine,
11 are you going to do the presentation for the personnel?

12 MS. OXENDINE: Sure. Good afternoon,
13 everyone. The Human Resources Bureau for the City of
14 Detroit is comprised of three main sections. One of
15 those is police personnel, which is the one we will be
16 highlighting today. Also, the police medical section
17 and police recruiting. And the police Human Resources
18 Bureau's mission is to sustain policing excellence by
19 ensuring uniform officers and civilian administrative
20 staff are recruited, vetted, fitted for duty and
21 supported to provide exemplary on time crime reduction
22 services to the citizens, business owners, visitors and
23 other stakeholders of the city.

24 We take this mission very seriously. And we
25 are working to improve what we do in the bureau. The

1 police personnel section is currently -- the commanding
2 officer is currently Sergeant Henning. Of course, we
3 are located in this building on the sixth floor, Room
4 659. Our office hours are Monday through Friday,
5 8:00 a.m. to 4:00 p.m. And we have six staff assigned
6 to the section.

7 The main responsibilities of police personnel
8 are to assist sworn members with medical benefits,
9 explaining those benefits to them and getting
10 information to them about medical benefits. We also
11 assist in the hiring and separation of sworn members.
12 We maintain the roster of sworn members. We also
13 maintain a report on human resources metrics which are
14 extremely important with respect to attrition and
15 vacancy rates and so forth for us to understand what our
16 recruitment and staffing strategy should be.

17 We also maintain transfer lists. We do quite
18 a bit of movement in the police department with respect
19 to transfers. So, that's important to maintain the
20 accuracy of those lists. We also maintain personnel
21 files for both active and retired members. We provide
22 badges and identification cards. And we also process
23 awards for sworn members. Those are our main functions.

24 Just to give you a little information about
25 our manpower metrics currently and throughout the

1 previous two or three years, our budgeted numbers of
2 course have decreased for obvious reasons with respect
3 to the city's financial position. But we have always
4 seemed to maintain -- with the exception of 2013, we
5 have always been at about a hundred plus short in
6 manpower on the sworn side of the house. We are working
7 very diligently this year to improve those statistics
8 and to get in front of hiring sworn members. We have
9 recently brought on some additional people to help us
10 with that endeavor. And in fact we have a new class
11 that's going to be starting on Monday. So, we will be
12 hiring very quickly as many members as we can find.

13 We also are increasing our efforts with
14 respect to field recruiting, participating in job fairs,
15 also linking up with various community groups to ensure
16 that we can find candidates. We are going to be
17 improving some of our activities in police recruiting
18 with respect to all those things which you will hear
19 about in a few weeks.

20 (Enter Assistant Chief White)

21 This kind of just gives you an overview of our
22 current manpower, the levels and ranks, the demographics
23 of those that are currently on board. And our current
24 manpower shortage number is 189. So, we are budgeted
25 for a few more than we have at this time. But we are

1 working to correct that.

2 Since the beginning of the fiscal year of 2013
3 and '14, our attrition rate is about 15 sworn members
4 monthly. So, we're forecasting that for the calendar
5 year of 2014, that we will lose 180 officers.

6 So, as I mentioned prior, we do have plans in
7 place to ensure that we get in front of that number.
8 So, we are looking to hire 150 sworn officers prior to
9 the end of this fiscal year, which would be June 30,
10 2014. So, the plan is to get ahead of the curve instead
11 of always operating behind it. It's really important
12 for us to have the appropriate manpower and work to
13 increase our police service. So, that's one of our main
14 objectives for this calendar year.

15 CHAIRPERSON TAYLOR: Are there any questions
16 for Miss Oxendine?

17 COMMISSIONER SHELBY: Through the Chair, our
18 recruiting efforts, are they going nationwide, over the
19 internet or --

20 THE WITNESS: Yes. I have just brought on
21 board some people to help me in police HR, the HR
22 Bureau, some police human resources professionals, who
23 one of their main objectives is to increase our
24 recruiting through the use of the internet. So, you
25 know, job posting boards, ensuring that we link up with

1 other police agencies throughout the region, you know,
2 whatever, linking up with colleges and community
3 colleges.

4 We are looking to establish a student intern
5 program. So, there are a lot of things that we are
6 looking at as feeders if you will or ways to attract and
7 find new recruits.

8 COMMISSIONER SHELBY: From what you currently
9 have in place, are we getting a pretty good response?

10 MS. OXENDINE: It was a job fair that was
11 conducted prior to my joining the team here in November.
12 The job fair took place I think in July or August of
13 last year. And there were 700 plus people that were --
14 that resulted, that expressed interest at that time.
15 And we have been short in manpower in police recruiting
16 to kind of work through these files. But we are
17 catching up now because we have new people on board, and
18 we're moving quicker. So, we expect now that that group
19 of 700 is going to dwindle down relatively quickly. And
20 we will need another pool of candidates, possible
21 candidates, coming in in order for us to keep pace. So,
22 that's what we have in place to make sure that that
23 occurs.

24 CHAIRPERSON TAYLOR: Are there any other
25 questions? Commissioner White?

1 COMMISSIONER WHITE: Thank you, Madame Chair.
2 Than you, Madame Director. Just a couple quick
3 questions for you. Well, to follow up on Commissioner
4 Shelby's question, what are we doing locally to promote
5 and encourage and hire Detroiters into the actual
6 department? I know the last time -- I don't know if you
7 know the percentage at this point. But last time I
8 asked our director for the percentage of officers that
9 actually physically resided in the City of Detroit, we
10 were right at about 30 percent.

11 And I would hope that it's a vision of this
12 department to continue to increase that number, that we
13 could hire more Detroiters or incentivize Detroiters who
14 choose to stay within the city. So, what are we doing
15 specifically in the city to hire Detroiters if there is
16 anything specific? And also, do you happen to know the
17 current percentage?

18 MS. OXENDINE: I do not have that number with
19 me, but I can research that and send that out in the
20 e-mail to you subsequent to this meeting. What I can
21 say, there's nothing specifically in place today to
22 encourage Detroiters if you will. But we are really
23 concentrating on making sure that we hire a force that
24 is representative of the community. So, that would
25 include Detroiters without a doubt. And I would hope

1 that some of the things that we are looking to do with
2 respect to linking up with community colleges, high
3 schools, community organizations that will primarily be
4 within the city of Detroit will give us the opportunity
5 to link up with more Detroiters.

6 So, even though that's not the main goal if
7 you will, we would hope that we would garner some
8 positives if you will with respect to getting more
9 Detroiters on board by having those relationships.

10 COMMISSIONER WHITE: One last question, Madame
11 Chair. That is, as the application process begins, I
12 was asked by a candidate, how does an individual's
13 financial background impact their application to the
14 department, i.e., credit score and those kinds of
15 things?

16 MS. OXENDINE: The main thing that we look for
17 is to make sure that they are responsible. So, there
18 are some standards with respect to, you know, looking at
19 the credit report. And we don't disqualify people you
20 know. I mean, they have to have like a really really
21 bad situation. Most of the times, what we do during our
22 background investigation is that if we find people that
23 have some trouble with their credit history, we ask that
24 they go and they handle that, that they make
25 arrangements with those organizations that they do in

1 fact owe money to; get, you know, get with debt
2 consolidators and, you know, other resources that may be
3 available to assist them. And we hold their
4 applications on hold while they kind of work through
5 those issues. And then they usually do and bring us
6 back documentation to show us that they are on some kind
7 of a financial recovery plan if you will. And then we
8 continue with the investigative process.

9 COMMISSIONER WHITE: Okay. So, is there a
10 threshold if you will that if an individual falls below
11 a certain point, that that is asked or is it taken in
12 totality of the entire application or is it up to the
13 individual investigator or case?

14 MS. OXENDINE: No. We have some standards. I
15 don't know what those standards are right off the top of
16 my head. We do have some standards that are in our SOP,
17 our standard operating procedures. But the threshold is
18 very low because most people, what they do, they do what
19 we advise them to do, which is to go and make those
20 arrangements and have those conversations with those
21 organizations. And I haven't seen a file yet where
22 people haven't done that. I mean, they want to be a
23 police officer. And so, they follow the guidance that
24 we provide them. And as long as they are demonstrating
25 that they are trying to be responsible, you know

1 individuals, because some -- you know, we understand the
2 economy has been bad, and there have been issues, you
3 know, with people who have generally been very
4 responsible people with their finances. So, that's
5 taken into account. So, we want to help the applicants
6 to be successful with respect to, you know, having those
7 financial troubles.

8 COMMISSIONER WHITE: Madame Director, if you
9 could furnish a copy of that portion of the SOP that
10 speaks to that, I'd be greatly appreciative.

11 DIRECTOR OXENDINE: Sure, okay.

12 COMMISSIONER WHITE: And the last question --
13 and forgive me if I overlooked it. But the dates that
14 you're looking at for the next class beginning --

15 DIRECTOR OXENDINE: Monday.

16 COMMISSIONER WHITE: This coming Monday?

17 DIRECTOR OXENDINE: Yes. They are already on
18 board to start Monday.

19 COMMISSIONER WHITE: Okay. And how many was
20 that?

21 DIRECTOR OXENDINE: 28.

22 COMMISSIONER WHITE: Thank you.

23 DIRECTOR OXENDINE: You're welcome.

24 CHAIRPERSON TAYLOR: Commissioner Carter?

25 COMMISSIONER CARTER: Through the Chair, do

1 you have a number for how long is the probationary
2 period once they complete the academy?

3 DIRECTOR OXENDINE: I think it's one year,
4 one year.

5 COMMISSIONER CARTER: Do you have a number for
6 or an average of officers who actually leave before the
7 completion of that first year?

8 DIRECTOR OXENDINE: I do not have that number,
9 no. And I have not done any research with respect to
10 that, no. I can tell you about 10 percent drop in the
11 academy. I don't know the number of people who leave
12 subsequent to graduation, within the 0 to 12 months
13 subsequent to graduation.

14 COMMISSIONER CARTER: Thank you.

15 CHAIRPERSON TAYLOR: Are there any more
16 questions? Commissioner Crawford?

17 COMMISSIONER CRAWFORD: Yes, ma'am. Through
18 the Chair. Commissioner White talked about the process
19 in terms of residency. And I realize there's no
20 residency required. But I do recall a few years ago
21 city council was giving some preference points for
22 hiring Detroiters. In terms of that process, I believe
23 the department might have engaged in that too. It's
24 been a few years.

25 DIRECTOR OXENDINE: What I do know is that

1 what you would make reference to is what is called
2 domicile credits. And that is true for civilians
3 throughout the city of Detroit. They are allowed
4 domicile credits. I'm not sure if that ordinance
5 applies to sworn members, both on the fire and police
6 side of the city. But it does apply to all other
7 civilian positions within the city. That is a correct
8 statement. So I can do some research and find out.

9 COMMISSIONER CRAWFORD: Yes, ma'am, I would
10 appreciate it.

11 DIRECTOR OXENDINE: It does exist on the books
12 for civilians for sure.

13 COMMISSIONER CRAWFORD: I do know the police
14 department engaged in giving away houses too. I was
15 very familiar with that piece in terms of retaining the,
16 you know, officers and getting some to move back in the
17 city, which was a real good deal. But I do recall that
18 ordinance going before the city council years ago.
19 Thank you.

20 DIRECTOR OXENDINE: You're very welcome.

21 CHAIRPERSON TAYLOR: Are there any other
22 questions? Okay. I'd like to acknowledge that AC White
23 has jointed us from the chief's office. And if there's
24 no other questions, Ms. Oxendine, I guess you can have a
25 seat there.

1 DIRECTOR OXENDINE: Thank you.

2 CHAIRPERSON TAYLOR: Thank you, ma'am. Okay.

3 At this time, I'm going to ask Commissioner White if you
4 could read the Resolution for Reverend Dr. Joseph
5 Jordan, please?

6 COMMISSIONER WHITE: Certainly.

7 Commissioners, before us is a Resolution
8 honoring Reverend Dr. Joseph R. Jordan.

9 Whereas Reverend Dr. Joseph R Jordan, often
10 referred to as the preacher's preacher, served the
11 community for over 40 years as a teacher, preacher,
12 pastor, servant and leader. In 1973, he was called to
13 pastor Corinthian Baptist Church, "Corinthian" in
14 Hamtramck, Michigan, where he positively impacted
15 Hamtramck and surrounding Detroit and Highland Park
16 communities. He was especially regarded for the
17 intermediary role he played in resolving the
18 long-standing housing discrimination lawsuit in
19 Hamtramck, and

20 Whereas Reverend Dr. Joseph R. Jordan, prior
21 to joining "Corinthian," served as an assistant pastor
22 at Calvary Baptist Church of Detroit, Michigan. He also
23 served as a chaplain at Detroit's Herman Keifer
24 Hospital. A highly respected spiritual leader, he was
25 actively involved throughout the entire community and

1 Whereas Reverend Dr. Joseph R. Jordan was a
2 proud graduate of Pershing High School, and after
3 graduating from Pershing began a lucrative career as a
4 licensed electrician. In pursuit of higher knowledge,
5 Reverend Jordan attended Wayne State University, where
6 he received his Bachelor of Arts degree. He then
7 furthered his education and received a Masters of Arts
8 from the University of Detroit and later earned his
9 Doctor of Ministry from Drew University. He also
10 attended Payne Theological Seminary in Ohio, and

11 Whereas Reverend Dr. Joseph R. Jordan was part
12 of a loving and caring family and for 56 years walked
13 his life with his partner, Bobbie Drake Jordan, a native
14 of Hamtramck, Michigan. Reverend Jordan was the parent
15 of four, Anthony, Kelly, Kimberly Jordan and Sandra
16 Jordan, and

17 Whereas, Reverend Dr. Joseph R. Jordan, going
18 beyond the call of duty, served the community by wearing
19 many hats. He was a passionate community advocate by
20 sitting on several boards as well as serving the
21 community at large. He served as president of the
22 Council of Baptist Ministers of Detroit and vicinity,
23 President of Todd-Phillips Children's Home, board member
24 of the Detroit Urban League, trustee for Henry Ford
25 Health System, board member for the Southern Christian

1 Leadership Conference, and served and dedicated his time
2 to several other organizations locally and abroad and

3 Whereas Reverend Dr. Joseph R. Jordan was
4 "Corinthian's" longest serving pastor and due to his
5 extended service, some refer to "Corinthian" as the
6 "House that Jordan Built." He implemented numerous
7 programs at "Corinthian" to benefit its members, which
8 are not limited to but include:

9 Building a new church edifice in 1989 with the
10 theme "Crossing the Jordan."

11

12 Instituting a bi-annual clothing and household
13 goods open to all.

14

15 Establishing a scholarship fund for church
16 members attending college.

17

18 Offering "Corinthians" as a meeting space for
19 Alcoholics Anonymous, providing counseling and support
20 for all community numbers, and

21

22 Now therefore be it resolved that the Detroit
23 Board of Police commissioners, speaking on behalf of the
24 citizens of the great city of Detroit and the Detroit
25 Police Department honor and salute Reverend Dr. Joseph

1 R. Jordan for his compassion, love, spirit of giving,
2 leadership and commitment to the citizens of the city of
3 Detroit. He leaves behind an outstanding legacy, and
4 those he touched will remember him as a servant, a
5 teacher and a man with a pastor's heart.

6 Adopted this day by the Detroit Board of
7 Police Commissioners, dated February 20, 2014.

8 CHAIRPERSON TAYLOR: Thank you. Reverend
9 Jordan will certainly be missed. Is there a motion in
10 order to adopt the Resolution honoring Reverend
11 Dr. Joseph R. Jordan?

12 COMMISSIONER SHELBY: So moved.

13 CHAIRPERSON TAYLOR: It's been moved. Is
14 there a second?

15 COMMISSIONER BYRD: Second.

16 CHAIRPERSON TAYLOR: It's been moved and
17 seconded. Is there any questions? All in favor?

18 COMMISSIONERS: Aye.

19 CHAIRPERSON TAYLOR: All opposed? If not,
20 Reverend Dr. Joseph R. Jordan will certainly be added to
21 our permanent archives. Okay. Now we move to old
22 business. Is there any old business?

23 COMMISSIONER WHITE: Madame Chair, I would
24 just add as we heard the report from the secretary's
25 office from Counsel Sabree, I continue to notice and we

1 asked through the chief of our Office of Chief
2 Investigator, Chief Drake, to start tracking our number
3 of complaints that were coming against unknown officers.
4 And that 40 percent, I have not over the past four or
5 five months seen that number waiver.

6 And so, through the Chair, I would just ask if
7 the chief's office, have we done anything unique with
8 some of our special operation units where we have
9 uniformed the uniform of those units and/or done
10 anything unique to increase visibility of identifying
11 markers that individuals that may come in contact
12 with -- and I say these special units, and I don't want
13 to say which unit because I'm not aware. But I would
14 assume it's probably some of our series 30 units or
15 others where they are not uniformly dressed.

16 So, I just wondered if we have done anything
17 uniquely -- I heard that at one point, that we were
18 going to showcase a new uniform. And I'm not sure if
19 that's hit department wide yet or not.

20 ASSISTANT CHIEF WHITE: Through the Chair, we
21 in fact have a new -- well, it's not new any longer.
22 It's been around for two years, 30 series uniform
23 actually similar to what I'm wearing today. It's green
24 pants and a black shirt. The officers are still
25 required to readily identify themselves. I will tell

1 you though, it creates a challenge because of the nature
2 of the work that they do to have a traditional name tag.
3 But they are required to have their badge on their
4 chest, which has their badge number on it.

5 So, I will look into this if we are seeing an
6 increase in the numbers. I was not made aware that
7 there was an increase until this meeting. Also, the new
8 vehicles that we have, we make sure to include not only
9 the department's e-mail address on those vehicles, but
10 the identifiers are also on the sides of the vehicles,
11 reflective at night.

12 And the TRU units, one of the things that we
13 did that's different, even though that's a traditional
14 semi-marked unit, those units have yellow markings on
15 them. So, those are plainclothes officers. But their
16 cars have yellow markings, reflective letters and the
17 department, the vehicle identifiers, the number of the
18 vehicle on the side. So, if a citizen were to just copy
19 that number, we can identify which officer pulled them
20 over.

21 COMMISSIONER WHITE: Thank you, AC. And if I
22 could, Madame Chair, through the Chair, apologize if I
23 misspoke because I don't have the data to aggregate over
24 the previous months. And I can't for certain say that
25 the number has increased. But I have just noted that

1 number to me has not -- you know, we haven't seen
2 astronomical progress if you will where that number has
3 just diminished. And I applaud the department for what
4 they're continuing to do to increase that presence for
5 our officers to be uniform for citizens.

6 But through the chief's office, chief
7 investigator's office and through the chief's office,
8 just for us to brainstorm how we might be able to do an
9 educational component for the community about what to
10 ask of officers if you do not see or where to look for
11 identifying markers might also help in terms of allowing
12 individuals that are coming in to file complaints to
13 know that if you had a certain situation and you didn't
14 see anything on an officer, that you might be able to
15 look for those yellow markings on the car or just an
16 educational component that might increase awareness for
17 citizens who are having these encounters, that they
18 might be able to walk away with some type of identifying
19 markers.

20 INVESTIGATOR DAVIS-DRAKE: Thank you,
21 commissioner White. And through the Chair, Pamela
22 Davis-Drake, chief investigator for the record. Just in
23 response to your concern, the numbers have pretty much
24 been consistent. There has been no major waivering.
25 It's been roughly since -- I know since I have been

1 here, it's been about 30 to 40 percent. And often times
2 it's for a number of reasons that the complainants can't
3 identify the officer. Sometimes they don't come in
4 direct contact with the officer. Often times, they may
5 not ask, you know, the officer's name or badge number.
6 But there could be a number of reasons. But it has been
7 pretty consistent from my knowledge for the last at
8 least couple years.

9 COMMISSIONER WHITE: Thank you.

10 INVESTIGATOR DAVIS-DRAKE: Any other
11 questions, sir?

12 CHAIRPERSON TAYLOR: Thank you, ma'am. No
13 other old business, then we'll move to announcements.
14 Our next meeting is Thursday, February 27, 2014, at 3:00
15 here at the Public Safety Headquarters.

16 Now, the next item is moving to the oral
17 communications from the audience. Please give your name
18 and limit your comments to two minutes. Do we have any
19 comments from the audience?

20 MS. PANNELL: Good afternoon. Sharon Pannell.
21 First of all, Angelo's funeral is Monday, 10:00 a.m. for
22 the family, 11 funeral. And there will be viewing at
23 Swanson at 6 Mile and Hubbell Sunday.

24 I'm in the Detroit Police Citizen Academy.
25 And we are having a new class starting March the 4th in

1 case anybody is interested. I only have one
2 application. But if you want one, you can have this one
3 and copy it. I just want to let you know that we are
4 having a new class. Thank you.

5 CHAIRPERSON TAYLOR: Commissioner Moore, is
6 that the class --

7 COMMISSIONER MOORE: Yes, ma'am. I haven't
8 received any official notification though, but that's
9 it.

10 MR. LUND: Hello again. My name is Dana Lund.
11 I'm always coming down here and trying to get some kind
12 of help, but I never succeed in that. I always complain
13 about these things. But I get to the point that I never
14 get any help from the commissioners or the police
15 department, period. This complaint again is about the
16 9th Precinct.

17 You guys never do anything about the 9th
18 Precinct. That's the most disgusting precinct or the
19 Eastern District as you call it. They never do
20 anything. You can call up there. You always get jokes
21 and smart comments from them at the Eastern District.
22 And I live in that area. I have been over there for
23 20 years. And they do nothing.

24 You can call up there. They got smart
25 comments, smart remarks. They don't want to answer the

1 phone. If you call back periodically, they got caller
2 ID. They look at your number, and they won't answer the
3 phone. You can ask for the commander, speak to the -- I
4 want to speak to the lieutenant or whatever. They say
5 that person is not in. They don't want to do anything
6 up there at the 9th or the Eastern District and so forth
7 and so on.

8 A question that I want to ask you guys, do you
9 know what to dismiss with prejudice means?

10 CHAIRPERSON TAYLOR: Are you asking --

11 MR. LUND: I'm asking you guys.

12 CHAIRPERSON TAYLOR: AC?

13 MR. LUND: From my understanding, what I call
14 myself --

15 CHAIRPERSON TAYLOR: Can you just ask all of
16 your questions, sir, while you're --

17 MR. LUND: Well, from asking the judge, that
18 means when a case is dismissed, it means it has no
19 ongoing or anything --

20 CHAIRPERSON TAYLOR: Is that the only question
21 you have? I want you to ask all your questions.

22 MR. LUND: That's why I'm giving the answer to
23 it. I asked the judge, that means if a case is going on,
24 that means it's nothing to it any more, it never -- like
25 it never came up or anything. So, I been coming down

1 here asking you guys about being a reserve officer. I
2 had to file and go on with that. And my case, it was
3 like it was -- it's been expunged. And every time I try
4 to follow up on it, you guys send an officer to me and
5 look into it. I never get anywhere with you.

6 I'm trying to help the community. And when I
7 try to help the community, it seems like I get a kick
8 back from the police department. And I don't get any
9 help from the police department.

10 CHAIRPERSON TAYLOR: Are you asking the Board
11 to follow up to see if your record has been expunged?
12 Is that what you said?

13 MR. LUND: My record, I got paperwork to show
14 that my case was dismissed, was dismissed with
15 prejudice, that one case right there. That means it was
16 like it was -- it never happened. I made sure I went
17 with the judge to check that out.

18 CHAIRPERSON TAYLOR: What are you asking the
19 Board to do?

20 MR. LUND: Why is it that they are giving me a
21 hard time, the police department, with that? But it --
22 you know, it's at the point that you get tired of
23 dealing with certain things. But when you guys have an
24 officer that has a problem, you dig into it so deep.
25 That officer is just like me. He's a citizen. He is a

1 resident of Detroit. Why is it that we have a hard
2 time, but when they have a hard time, you want to have
3 pity for that person?

4 And what I'm speaking on is Officer Harwood.
5 My granddaughter was nine months old. And I am speaking
6 on this officer, that I feel sorry for his child. My
7 granddaughter was nine months old. That Officer Harwood
8 disrespected my grand child and wouldn't call and gave
9 me a hard time with my granddaughter for the EMS. My
10 granddaughter was having seizures. I have it on
11 paperwork when the EMS finally got there.

12 She was having seizures. They did nothing to
13 that officer. And all they did was put him down at 36th
14 District Court. Every time I see him, I look at him and
15 I want to call him, you're on a roll of trying to kill
16 children? But I don't say smart remarks to that man. I
17 look at him. All you all did was put him to the side.
18 But my granddaughter is three years old, and she's going
19 on right now.

20 CHAIRPERSON TAYLOR: I think Commissioner
21 White has some knowledge of what you're speaking about.
22 So, I'm going to let him --

23 MR. LUND: I'd just like to know why they let
24 that dirty officer stay on the street, that's all. I
25 consider him a dirty officer.

1 CHAIRPERSON TAYLOR: Thanks.

2 COMMISSIONER WHITE: Mr. Lund, I'm not sure of
3 the officer's situation. But you have come before this
4 body on several occasions over the last I would venture
5 to say over the past year plus since I have been a
6 member of this body. And I just didn't want it
7 mischaracterized that this body has not done anything to
8 assist you. We have put you strategically with
9 individuals both from our office and the department side
10 to look in depth to your situation as relates to
11 expungement.

12 And I would ask that if someone from the
13 department, maybe Deputy Chief Oxendine if she didn't
14 leave yet, could speak to it. But I don't venture to
15 think it's any different than officers that even though
16 you receive an expungement, just like individuals who
17 are applying to become members of the actual department,
18 an expungement does not preclude from what is on your
19 record. It may for other instances that you may go to a
20 job and do certain things. But most government
21 positions that you're seeking, especially law
22 enforcement, it still is a part of your record, although
23 you did successfully have that -- according to your
24 statement, have that expunged.

25 So, I would keep that in mind. We again have

1 worked diligently with you. And if you have new
2 information or if there's something else that we can do,
3 if there's something outside of those situations that we
4 have looked into for you on several occasions, I believe
5 that this body through the Chair will be happy to do
6 that, to continue to work with you to see if there's
7 something -- if there's new information. But we have
8 continued to talk about the same issue on several
9 occasions. And I don't believe we have come up with
10 anything new for today.

11 So, if you have something new, myself
12 personally or you can speak with members of our staff
13 through the Chair. I'm sure we'd be happy to talk more
14 directly with you.

15 MR. LUND: I have no problem with that. I
16 just wanted to know why they just let that man sit
17 around like it's nothing to it because if I spit at your
18 feet with tobacco, I know that you all would take me
19 like a dog in the street and sling me around.

20 CHAIRPERSON TAYLOR: I don't think we'd do
21 that, sir.

22 MR. LUND: He spit at my feet with his tobacco
23 and everything and then called EMS for my granddaughter.
24 She is three now. And it still is like a bitter thing
25 in my sole. But if I go to the Detroit News and put

1 that out on the street, that would just make the Detroit
2 police officers have more bitterness on them, how nasty
3 a person can be.

4 CHAIRPERSON TAYLOR: Okay, sir. And we will
5 look into that further. I'm going to ask the chief to
6 make sure that that happens.

7 MR. LUND: Thank you.

8 CHAIRPERSON TAYLOR: Yes, sir?

9 MR. BACHAND: Good afternoon, Board. Thank
10 you for allowing me to speak before you today. Nicholas
11 Bachand. I represent several different towing
12 companies. I wanted to make the Board aware that there
13 are ongoing discussions going on in the Public Health
14 and Safety Committee at the city council regarding
15 towing. And I saw Commissioner Crawford there. And I
16 had a little conversation with him. And I encouraged
17 him -- and I encourage all of you to come to these
18 hearings and these discussions regarding towing because
19 not only is there issues that are going on currently,
20 but there's a nice history that's been going on that
21 you're -- you as commissioners play a direct role in
22 now.

23 So, it's important that you know about towing
24 and what has gone on in the past and what is going on in
25 the future for the best of the city. On a lighter note,

1 there was an article in the February 10, 2014, Free
2 Press that I thought the Board might want to be notified
3 about. My uncle is now the president of Saginaw Valley
4 State University. He was appointed about a week and a
5 half ago. The interesting part is not only that he's
6 related to me, was that the native of Detroit, Bachand
7 began his career by serving ten years in the Detroit
8 Police Department. He spent several years on patrol
9 before becoming among the youngest in department history
10 to receive a promotion to sergeant. He was assigned to
11 the chief of police strategic planning commission. He
12 left in 1978, and he's been teaching since then and now
13 he's the president of a major university. And you never
14 know where a patrolman will go. Have a wonderful week.

15 CHAIRPERSON TAYLOR: Sir, I just want you to
16 know that Attorney Sabree is attending those meetings
17 and will be attending future meetings. And we are going
18 to try and have something -- we are putting something
19 together now to bring the Board up to speed on the
20 towing.

21 MR. BACHAND: Thank you very much. Have a
22 wonderful day.

23 CHAIRPERSON TAYLOR: Just a minute, sir.

24 COMMISSIONER CRAWFORD: Yes, Commissioner
25 Crawford. Through Madame Chair, I just want to -- for

1 the record, I was there, not in with the towing. I was
2 there for another issue. But I just for the record, and
3 I might add it was very informative.

4 MR. BACHAND: I will state for the record that
5 you were very open minded to hearing all of this, and I
6 appreciate that.

7 SERGEANT ROBINSON: Good afternoon. My name
8 is Sergeant Robinson, Doretha Robinson. I am employed
9 with the Detroit Police Departmen. I sent a letter
10 addressing some issues that I am having with the Detroit
11 Police Department. And the reason I forwarded the
12 letter to you, I know you're not in a position to do
13 your own investigation, but just to oversee that the
14 investigation is done fair and thorough. I already went
15 to the federal EEOC and made a complaint.

16 Myself and other officers, lieutenants, have
17 went forward, and we made a formal complaint. I already
18 had a meeting with Deputy Chief Houser and Commander
19 Fitzgerald. I am not going to go into detail because I
20 think the letter basically explains more than enough of
21 what's going on. But I'm asking you to just oversee
22 this just so I can have some type of fairness and make
23 sure that this racial disparity that's going on with the
24 department comes to light. So, that's the reason I am
25 here today. And I thank you for taking the time out for

1 reading my letter. And hopefully you can reach out and
2 guide me in what I need to do next.

3 CHAIRPERSON TAYLOR: Yes, ma'am. And we will
4 be consulting with Attorney Sabree to guide us in this
5 whole process.

6 SERGEANT ROBINSON: Yes, ma'am. Thank you.

7 CHAIRPERSON TAYLOR: You're welcome. Thank
8 you, ma'am. Do you have --

9 COMMISSIONER WHITE: Madame Chair, I did have
10 a question through the Chair to the chief's office, if
11 you could enlighten this body as relates to the process
12 or procedure that members would go through with a
13 complaint if you will against the department.

14 ASSISTANT CHIEF WHITE: Actually, I'd like to
15 defer that if I could to our expert in that area,
16 Director Oxendine who handles our EEOC office.

17 DIRECTOR OXENDINE: Thank you. Through the
18 Chair, we have an EEOC officer in my office that
19 receives all complaints of sexual harassment,
20 discrimination of any type and situations which create a
21 hostile work environment. At any time that anyone has a
22 complaint or problem, they are welcome to come to our
23 office and file those complaints. And we investigate
24 them thoroughly, and we make our recommendation with
25 respect to whether or not the complaint is sustained or

1 not.

2 So, you know, we take complaints seriously and
3 investigate them thoroughly and timely. And in the case
4 of this particular complaint that I was made aware of,
5 my EEOC officer has already been made aware of and we
6 will be looking for Ms. Robinson to come and formally
7 lodge her complaint and give us her witness statement in
8 short order.

9 CHAIRPERSON TAYLOR: Thank you.

10 COMMISSIONER WHITE: Just as a follow up,
11 Madame Director, is that -- so would the process if you
12 will, would that start with the EEOC officer or should
13 it start with a commanding officer and work its way up
14 to the EEOC officer or is it if you have that level of
15 complaint, you go directly to the EEOC officer?

16 DIRECTOR OXENDINE: It depends on the nature
17 of the complaint. So, you know, we encourage that
18 certain complaints, people go to their supervisor
19 because everything that is thought to be a hostile work
20 environment isn't. So, we like to give supervisory
21 levels an opportunity to address concerns. However, the
22 process does not require that someone who is lodging the
23 complaint start in that order. They can start in our
24 office as well.

25 COMMISSIONER WHITE: How long is that process?

1 DIRECTOR OXENDINE: Again, depends on the
2 nature of the complaint and the number of witnesses
3 involved and also the number of investigations that we
4 currently have going on simultaneously. But I'd just
5 like to reiterate that I personally take any
6 discrimination, any harassment, very seriously. This
7 department and as well as the city of Detroit at large
8 has a very strict policy about EEOC issues. And we take
9 them very seriously and address them seriously. And I
10 intend to continue that tradition in the bureau for the
11 police department.

12 COMMISSIONER WHITE: Thank you, Madame Chair.

13 ASSISTANT CHIEF WHITE: I'd also like to
14 indicate that the investigation will be a transparent
15 investigation handled professionally. And the officer
16 or sergeant in this case will be kept informed as to
17 where the investigation stands.

18 CHAIRPERSON TAYLOR: Thank you, AC. That was
19 going to be my question. Thank you. Is there any other
20 comments on that? Any other communication from the
21 audience?

22 MR. RHOADES: Good afternoon. My name is
23 Peter Rhoades. I'm a resident of Detroit. I was a
24 member of the Greenacres Citizen Patrol. I lived in
25 that neighborhood for years. I was an attorney for the

1 City of Detroit Law Department for 25 years until I
2 retired. I was a hearing officer for the Building and
3 Safety Engineering Department. And I was here back in
4 November and then again in December. And I have been
5 trying in January, now in February. And it's been three
6 months, and it's not a big deal.

7 But the city of Detroit Police Department
8 keeps giving tickets -- these are criminal misdemeanor
9 tickets, \$500, 90 days in jail -- to minimum wage clerks
10 on the other side of the counter because the owner
11 forgot to pay the business license fee and the license
12 expired. Now, let's try it again. I raise the concern
13 because it's a poor use of law enforcement resources,
14 misplaces criminal responsibility on a minimum wage
15 clerk for the failings of the business owner or the
16 business manager. It is probably improper under Detroit
17 versus Mislackian (phonetic), which is a case that's
18 published by the Michigan Court of Appeals from 1968.
19 That's 40 years plus.

20 And it creates a needless expense of a police
21 officer going over to 36th District Court and collecting
22 court time. It's been three months. I've been trying
23 to get some type of action so the Detroit Police
24 Department will stop issuing these tickets. And I
25 haven't gotten any all results. You know, it's kind of

1 like pushing against a bowl of Jello, nothing really
2 moves you know.

3 So, that's my deal. I have a nice letter, be
4 more than happy to hand it to your staff. Be happy to
5 talk to anyone. I have talked to Celia Banks
6 Washington, very cooperative. But I'm not feeling --
7 it's like pushing against Jello, nothing ever happens.
8 If this Board would please pay attention to it and ask
9 that the Detroit Police Department and chief of police
10 take action to stop this improper policy. Thank you.

11 ASSISTANT CHIEF WHITE: Thank you. Through
12 the Chair, I'd ask that Attorney Celia Washington,
13 Deputy Chief Celia Washington, speak on this matter.

14 ATTORNEY WASHINGTON: Thank you, assistant
15 chief. Celia Washington. Mr. Rhoades and I have had a
16 number of conversations. The issue is one that -- and I
17 have shared my position with him. In my opinion, the
18 role of the police department is to enforce the
19 ordinances and statutes as written. He is referencing a
20 1968 case that has not thus far effected the wording of
21 the statute.

22 As I have told Mr. Rhoades, the police
23 officers are enforcers. I don't want them being mini
24 lawyers, giving an interpretation of the ordinances as
25 written. And I certainly understand his concerns. But

1 the way the ordinance is written right now, that cashier
2 who is standing at the counter -- generally the owner is
3 not present on the premises. That cashier is at least
4 according to the ordinance, right or wrong, aiding and
5 abetting in a business operating without a proper
6 license.

7 And the way it is written now -- and we are
8 going to work with Mr. RHOADES and the law department to
9 see what can change with that regard. But right now,
10 that cashier is considered aiding and abetting in a
11 business that's operating without a license. I'm not
12 saying that that's a good thing, a bad thing. But I'm
13 saying that the police department is not the right shop.
14 I think we described it as the right church but not the
15 right pew.

16 I'm talking it up with the law department to
17 see what we can do possibly to revise the ordinance.
18 But it is as he says it is. It's just that the police
19 department is not the right shop.

20 CHAIRPERSON TAYLOR: Thank you, ma'am. Do you
21 have anything you want to say, Commissioner White?

22 COMMISSIONER WHITE: I would ask a question
23 through the Chair. I know there are a number of
24 ordinances on the books. And I know there are
25 ordinances that the department does not enforce. And

1 I'm not sure how we get to that point of deciding which
2 ordinances are enforced. And I know -- or whatever the
3 rule is and how that operates. If in fact there is a
4 conversation going forward, what would be the process or
5 is there a procedural process where an ordinance would
6 not be enforced until clarity is brought into the
7 conversation?

8 ATTORNEY WASHINGTON: I'm not in a position to
9 answer that. I would venture -- I would hope that the
10 officers are not picking and choosing which ordinances
11 to enforce and not. So, I'm not comfortable with that
12 being the position. But as for this one, they are doing
13 their jobs. Now, again, Commissioner, good, bad or
14 indifferent, I actually tend to agree with Mr. Rhoades.
15 There are certain portions of the city ordinances that
16 are being revised now.

17 So, it's very likely that it can be fixed.
18 But I'm just saying that the Detroit Police Department
19 enforces the law as written. And this ordinance is on
20 the books.

21 COMMISSIONER WHITE: Through the Chair, as a
22 matter of procedure if you will, is that ordinance, is
23 that under the direction of city council?

24 ATTORNEY WASHINGTON: Absolutely.

25 COMMISSIONER WHITE: With that being the case,

1 Madame Chair, I would motion to this body that we put
2 forth a Resolution urging the city council to move with
3 deliberate speed to revise this code so that workers are
4 not impacted to this degree for the fault of the owners
5 of this establishment.

6 ATTORNEY WASHINGTON: And I believe that they
7 will refer it -- through the Chair, I'm sorry -- to the
8 research and analysis, the attorney on staff. And then
9 they can reach out appropriately to someone in
10 Mr. Hollowell's shop.

11 CHAIRPERSON TAYLOR: Thank you. I agree with
12 that. There's a motion on the floor. I'm sorry.
13 There's a motion. Is there a second?

14 COMMISSIONER CARTER: Second.

15 CHAIRPERSON TAYLOR: It's been moved and
16 supported. Is there any questions? All in favor?

17 COMMISSIONERS: Aye.

18 CHAIRPERSON TAYLOR: Motion carries.

19 ASSISTANT CHIEF WHITE: To the Chair, if I may
20 add to the last discussion, Assistant Chief White. Just
21 for clarifications purposes, there are no ordinances
22 that the officers choose not to enforce. There are
23 varying factors that impact our enforcement strategies.
24 There are in many instances Supreme Court decisions that
25 impact our enforcement where we may have an ordinance on

1 the books that we don't enforce. But we don't just say
2 we are not going to enforce this ordinance. Once we
3 come across an ordinance or a violation, we enforce it.

4 The two that come to mind are loitering in a
5 place of illegal occupation. It was a Supreme Court
6 decision that speaks to a person who are on the premises
7 where illegal activity is afoot. Years ago, an officer
8 was able to see people in a dope house and charge
9 everyone in the dope house. Well, the Supreme Court
10 chimed in and said how does the officer know that the
11 state of mind of the perpetrator was that I'm at a drug
12 house? What if I'm visiting a relative who happens to
13 operate a drug house? So, the ordinance is intact on
14 the books, but it's not being enforced because of that
15 decision.

16 And another one is, let's see, annoying
17 person. The annoying person ordinance was too broad,
18 and it also encompassed lifestyles. So, it was an
19 antiquated ordinance that the law department chimed in
20 on and we stopped enforcing.

21 ATTORNEY WASHINGTON: It's still on the books
22 intact, but it's not enforceable.

23 CHAIRPERSON TAYLOR: Thank you.

24 COMMISSIONER BELL: Madame Chair, I am
25 somewhat in the dark. I have no idea, is this something

1 on the vice or something liquor established or, I mean,
2 what is the focal point of this dialog since that has
3 been going on just so that like me --

4 CHAIRPERSON TAYLOR: I agree with you because
5 I wanted to ask about the business. I mean, what type
6 of business is it and also why aren't they doing
7 something to them if they're aiding and abetting in
8 something, what is going on with the owner?

9 MR. RHOADES: The city of Detroit through its
10 Building Safety Engineering Department gives business
11 licenses to a number of businesses, gas stations,
12 restaurants, bars, cabarets, barber shops, dry cleaners.
13 And what this is, if we can back up three steps, it's an
14 easy ticket, an easy court time for a police officer to
15 walk into an establishment, whether there was a
16 complaint or no complaint, look at the wall, see that
17 it's been expired for a couple weeks or a couple months
18 and write a ticket.

19 And who does he write the ticket to? The
20 minimum wage clerk on the other side of the counter who
21 is not in charge of renewing anything. The whole thing
22 is silly, and I will tell you why, because this case
23 from 1968 told the city of Detroit how to do it
24 properly. It's already on the ordinance books.

25 CHAIRPERSON TAYLOR: I think we've got that

1 part.

2 MR. RHOADES: It's already there when the
3 ordinance that says, if someone has an expired license,
4 all you do you is you send them a notice, a show cause.

5 CHAIRPERSON TAYLOR: I think the question is
6 what is the business, what type of business?

7 MR. RHOADES: It could be any type of
8 business.

9 CHAIRPERSON TAYLOR: What type of business is
10 the one that you're talking about?

11 MR. RHOADES: Some poor guy at a gas station.

12 COMMISSIONER BELL: Madame Chair? Are you
13 here representing lobbying or what is your function
14 bringing this issue? I'm just trying to get to --

15 MR. RHOADES: My function is I'm retired, but
16 I live in this town. When I see something wrong, I
17 raise my hands. And I come before the Board and I say
18 this isn't right. Now, I know other people do it the
19 other way. They go get a client. They sue you for lots
20 of money. I'm trying to do it the nice way.

21 COMMISSIONER BELL: I got it.

22 MR. RHOADES: I'm not getting anywhere.

23 CHAIRPERSON TAYLOR: We have already ruled on
24 how that's going to be handled.

25 MR. RHOADES: All right.

1 ASSISTANT CHIEF WHITE: If I may, through the
2 Chair, I appreciate your commentary. But I would offer
3 the inverse. And that is, there are times when these
4 businesses are stood up in the city of Detroit,
5 delivering poor service, you know, selling illegal
6 products. And then they position a lower paid person in
7 front of the business. And by virtue of being able to
8 take some enforcement action, we are able to get to the
9 person who are victimizing our community or the
10 residents of the community.

11 So, you know, we have to be careful before we
12 say, well, don't take enforcement action on the person
13 who is at the desk or at the window because we will
14 never get to the owner. These owners know exactly what
15 they're doing in some of these communities when they
16 hire people to be the front person for these
17 organizations. It's not a debatable issue. I just
18 wanted to put my commentary on the record.

19 CHAIRPERSON TAYLOR: Okay. I think we've got
20 it, sir. We are done.

21 COMMISSIONER MOORE: Through the Chair, can I
22 see a copy of the ordinance on which the Board's
23 resolution to the city council -- is that possible to
24 see what's currently in place?

25 CHAIRPERSON TAYLOR: Yes.

1 ATTORNEY SABREE: I'll provide that for you,
2 Commissioner Moore.

3 CHAIRPERSON TAYLOR: Thank you. Okay.

4 MR. SCOTT: Ron Scott. I fully expected not
5 to say anything today. But it came to my mind, I wanted
6 to find out where are we and where is the Board in
7 relationship to the rescinding of Executive Order 11 by
8 the emergency manager in terms of the operation of the
9 democratization or the de-democratization of the body.

10 CHAIRPERSON TAYLOR: We were -- we cancelled
11 the meeting today because of the Open Meetings Act. So,
12 we didn't have the meeting with the emergency manager,
13 but I did have a chance to talk with him. And he did
14 talk about the Order 11 which was put in place for
15 reasons that had nothing to do with the Board, although
16 it effects the Board's ability to operate.

17 And I think he said it's got about nine more
18 months or maybe eight months now before he is gone and
19 everything goes back to the way it was.

20 MR. SCOTT: I just have to say, you know, in
21 the spirit of Tom Paine, democracy denied -- I mean
22 democracy delayed is democracy denied. I am not
23 willing, on a personal level or for those individuals
24 with whom I work, to allow this body for whom people
25 fought so hard and arduously to have on board, be denied

1 the opportunity to render democracy to people in the
2 city of Detroit who come before it.

3 I think that it leaves us the option, several
4 options, which we might have to take. I was hoping that
5 the Board would move in a zealous fashion on this. And
6 I think this is every bit as important as the matters
7 which are going on in bankruptcy court right now. I
8 don't see where there's any reason to equivocate or to
9 wait to deal with this matter because as you have seen
10 and as Commissioner White has said and others, we are
11 trying to find out where in the 40 percent of the
12 officers that we don't know, what is the level of
13 investigation. You have new commissioners who need to
14 really get into their role and serve the constituents.

15 I don't think we have the time to do that. I
16 think whatever the reason was that it was done -- and I
17 can't get into Mr. Orr's mind. Whatever the reason it
18 was done, it wasn't done democratically. And I'm not
19 willing to suspend democracy for expedience. And I
20 think --

21 CHAIRPERSON TAYLOR: And I agree with you.
22 And I agree with you. But with the Order 11, we are
23 understanding with an emergency manager, that there is
24 not a lot of options, I mean, other than let them know
25 you don't like it. And I think when I met with him, I

1 let -- I mean, you know, he knows that, and he
2 understands that the Board is not happy with that
3 decision. Nobody is happy with that decision. But the
4 decision was made to give the chief the authority to do
5 what he needed to do for the safety of the people in
6 this city.

7 Now, I need to understand what all that means
8 because I don't want us to interfere with the safety of
9 the people in the city. But we need to find out again
10 what that means. And that's why I was going to have him
11 talk with the Board today. But I was made aware that
12 the Open Meetings Act, we may be in violation of that
13 because we would have had a quorum. But we will work on
14 that. And I will talk with you about, you know, see
15 what we can do with some more steps. We'll get with the
16 commissioners and we'll see -- and we'll come up next
17 week, maybe we'll have something to tell the people.

18 But again, we just need to understand -- and I
19 understand it. But it's just not for me, the Chair, to
20 understand what -- you know, why that was done. But
21 when you talk about interfering with the safety of the
22 people of the city, when you talk about interfering with
23 the chief of police, I think we need to be a little
24 careful with that. Not that we can't do anything. But
25 I just need to -- we just need to be careful at how we

1 move forward with that. And that's what I will say on
2 that.

3 MR. SCOTT: Let me just say this, Madame
4 Chair. Every despot has always rendered in their
5 statements the need for the suspension of liberty for
6 personal protection. That is the resonance in fact of
7 many totalitarian regimes who have said the same thing.
8 We have to suspend your rights so that we can control
9 the safety of the people. And one famous dictator did
10 that about 80 years ago on the European continent.

11 And so essentially, I'm just saying that, you
12 know, I would like to suggest to this Board and maybe
13 bring forth some suggestions as to what might be done
14 relative to this. And as far as I'm concerned, the
15 safety of the city has been compromised by Mr. Orr's
16 actions already.

17 So, essentially, for an officer of the court
18 to suggest that one would suspend the rights and
19 liberties of others, I think we should look at his law
20 license.

21 CHAIRPERSON TAYLOR: Again, if you have
22 something that you want to bring before the Board that
23 can show that anybody is in violation -- I mean, we know
24 what the violation is. But under the emergency manager,
25 see, I am not -- I have never been under an emergency

1 manager's order. So, I don't understand what is allowed
2 and not allowed under that order. So, you know -- and I
3 understand what they are doing. If it's illegal in what
4 they are doing, then we certainly need to look into
5 that.

6 But if these things are legal, then there's --
7 you know, you're going to have to take some other
8 action. And I don't know what that is. So, if you
9 understand what it is, I will be happy to listen to it.
10 And I'm sure the rest of the Board would be happy to
11 listen to that, and we will go from there.

12 MR. SCOTT: We are doing some research on it
13 now. I don't want to belabor the matter and extend the
14 discussion. But we are doing some research right now
15 relative to that, which we'd like to share with you in
16 relationship to that. But I really have a tremendous
17 respect for the law and for lawyers. And I find it
18 really really challenging that an attorney would say
19 something like this in relationship to a democratically
20 elected body. I just can't -- I know attorneys do many
21 many things. Some of them are challenging. But one of
22 the principal elements when one passes the bar and
23 accepts the responsibility as an advocate for the people
24 is to protect and defend the Constitution of the United
25 States. And to suggest that expediency is more

1 important than democracy, that is contrary to everything
2 in the history of this country.

3 CHAIRPERSON TAYLOR: Sure it is. And to me
4 it's under normal circumstances. But we're not under
5 normal circumstances. So, I just need to hear something
6 for abnormal circumstances.

7 MR. SCOTT: Madame Chair --

8 CHAIRPERSON TAYLOR: I understand what you're
9 saying.

10 MR. SCOTT: I can say and I can ask
11 Commissioner Crawford and others, for we in Black
12 History Month as African Americans, we've been in
13 abnormal circumstances for a long period of time.

14 CHAIRPERSON TAYLOR: But we're in abnormal on
15 top of that abnormal that we are in now. So, I just
16 need to -- like I said, we just need to understand. If
17 you can come with something that's clear --

18 MR. SCOTT: I will.

19 CHAIRPERSON TAYLOR: I mean, that's good. I
20 have no problem with that.

21 MR. SCOTT: Because you're my friend and I
22 love you and respect you.

23 COMMISSIONER BELL: Madame Chair, if I might
24 chime in too, I want to say we understand the
25 circumstances that we are under. But when you look at

1 the citizenry in this community, that we have a
2 functional police department. I haven't heard that in
3 quite some time, that in the last several months there
4 is a climate of concern about public safety, that we are
5 responding. And I'm pleased with that. And I'm hoping
6 that we can continue that.

7 I understand that as a member of this
8 community and as a former police officer, as an elected
9 official now, that we have a functional police
10 department. And I'm pleased. This is the feedback I'm
11 getting. So, in that vein, we have to work under those
12 types of guidelines, no different than how the military
13 functions to some degree.

14 I just come back from Ghana, you know. In
15 terms of that experience of public safety, there's a
16 climate that I felt safe over there you know, in the
17 hustle and bustle. And that's the climate that we must
18 create in Detroit once again, that we had in the 50's
19 and 60's. So, this charter is changing in terms of this
20 commission. But I'm concerned that when you just make a
21 blanket that we are under these guidelines -- we are.
22 But we are functional now. I see a difference in terms
23 of the climate of the public safety in this city. And I
24 am pleased with that.

25 MR. SCOTT: Commissioner Bell, through the

1 Chair, if I may answer. I remember the 50's and 60's.
2 And you remember as I do Hunt Street Station. You will
3 remember many of the other situations where you as a
4 member of the guardians and others had to fight with
5 white police officers to guarantee that black citizens
6 would not be aborted of their rights. So, essentially
7 the 50's and 60's -- we know what happened in the 60's
8 led to a massive civil disturbance that was mentioned in
9 the Kerner Commission Report.

10 That's why we got -- that was the only reason
11 we got African American police officers because of that
12 period. So, I don't look back in any kind of
13 sentimentality about those particular days. But in this
14 context, the question of public safety is one that needs
15 to be discussed more of a greater respective than what
16 some people feel. I get the response that other people
17 don't feel that way. So, within that context, we know
18 that objectively speaking, in terms of the amount of
19 complaints and whether or not officers are known to be
20 officers that Commissioner White has mentioned and many
21 other issues, I think that's important.

22 This body was created as you know since you
23 participated in it, for oversight. And oversight must
24 be the functional basis. I'm not trying to abrogate the
25 framework of public safety and what people feel about

1 it. But that's why once again we have a democracy.
2 Some do, some don't. Some will and some won't. I mean,
3 so we deal with it.

4 COMMISSIONER WHITE: Madame Chair? Thank you,
5 Mr. Scott. As you take your seat, but I'm in total
6 agreement with what you say. And I hope my comments
7 aren't viewed as contradictory to my colleague,
8 Commissioner Bell's, but complementary. The tide that
9 we see changing in the climate in Detroit -- and this is
10 no takeaway on our new chief. But much like the
11 Titanic, you can't turn the Titanic around on a dime.

12 And through the good work of the command staff
13 that is here, those that were here prior to the chief's
14 arrival and certainly under the chief's leadership since
15 he has been here. But I think it's been this body
16 working in concert with the command staff of this great
17 department and the involved and engaged citizens that
18 not only come to this meeting but serve on our citizen
19 councils for each district. It has been a wholistic
20 approach to this turnaround that we are seeing if you
21 will in the city of Detroit. And as we look at -- and
22 I've been very vocal on my position of the emergency
23 manager and Executive Order 11 and the diminishing of
24 the roles and responsibilities of this body which are
25 Charter mandated.

1 But I think there is a way -- and if you look
2 at the record, I'll challenge anyone to find an instance
3 where this body has been an obstruction to this
4 department or this city or the public safety of the
5 citizenry from moving forward. You will not find that.
6 We have been very complementary to that effort.

7 So, I think your point is well taken,
8 Mr. Scott. The emergency manager rule is what it is.
9 And I know you're working on various other fronts.
10 Emergency Manager Orr is an operative of Governor Rick
11 Snyder. If you have concerns, I think it would be well
12 directed to send it to the governor's office.

13 We have officially gone on record prior to our
14 additional members being brought on. But certainly they
15 have been furnished a copy. And I won't speak on
16 everyone's behalf if they are in total agreement or not.
17 But I think everyone is in agreement that as elected
18 officials or appointed officials, that we want to get
19 back to operating under the guise of what the citizens
20 of the city have appointed and/or elected us to do as we
21 move forward. So, we hear you. I'm sure Madame Chair
22 hears your concerns.

23 We want to move expeditiously back to that
24 state. So, there are a number of extra conversations
25 that are being had. And, Madame Chair, if in fact we

1 are in violation of the Open Meetings Act in meeting
2 with the emergency manager in private, I certainly would
3 be receptive if our colleagues would be receptive to
4 inviting Emergency Manager Orr to our public session
5 that he might go on the record and articulate his views
6 of the Emergency Order Number 11 so we might hear from
7 him directly with the community, his viewpoints.

8 CHAIRPERSON TAYLOR: Sure. And we can
9 probably arrange that because he leaves on Thursday
10 going back to Washington in the afternoon. That's why
11 we were setting it up for 12. But I'm sure that we can
12 probably somewhere in the future. I don't know when
13 because I don't -- I can't speak for him. But we can
14 certainly try to get him to come to a special meeting
15 that we can hold and see.

16 So, I will check into that. And just for you
17 to know that the mayor has the same concerns. And I
18 spoke with him. But he seems to be a little bit more --
19 because he is looking at it going back. And I think
20 what I'm hearing though here is that we may not go back
21 to that way that it operated in this eight months or
22 however long the emergency manager is going to be here.
23 So, I don't know if that's what I am hearing. But
24 again, the mayor has the same concerns. But like I
25 said, he is willing to -- he said, well, okay, when we

1 go back to and when I become mayor, I'm going to support
2 the Board.

3 So, he gives -- you know, I'm just saying
4 that, you know, we may have to wait it out. And we may
5 not. Depends on what you're comfortable with. So,
6 again, we do not -- I think Commissioner Burton, you had
7 something you wanted to say?

8 COMMISSIONER BURTON: Yes. You know, for
9 District 5, you know, I want to acknowledge an
10 outstanding officer that is doing a great job over at
11 Central District, which now happens to be the 3rd
12 Precinct. It would be Sergeant Potts. She is doing a
13 wonderful job. So, I just wanted to make that a known
14 to everybody here. She's doing an outstanding job
15 servicing the citizens in my district with community
16 relations.

17 It was great turnout the other day. I was
18 excited being there. I was excited as far as the meet
19 and greet the families that came in. So, she is doing
20 an outstanding job. So, she's my officer of the week
21 for the new 3rd Precinct.

22 CHAIRPERSON TAYLOR: Thank you.

23 MR. SCOTT: Thank you very much.

24 COMMISSIONER BURTON: In addition, I also want
25 to acknowledge the officers that's in the room for an

1 outstanding job and service you all are providing as
2 well.

3 COMMISSIONER WHITE: Madame Chair, just to
4 close out this conversation, with support from my
5 colleagues, I would motion that we empower the Chair to
6 work through the emergency manager's office that if our
7 meeting schedule needs to be augmented to accommodate
8 the emergency manager, there's no statute via Charter
9 that mandates we meet on a Thursday. If we give proper
10 notice, our schedule is able to accommodate the
11 emergency manager's presence. And I think this
12 situation certainly would warrant special accommodations
13 that we hear from this individual.

14 So, I would make a motion that we empower our
15 Chair to work through the emergency manager's office and
16 our schedule, that we might accommodate his schedule
17 that if there's in the upcoming weeks an opportunity for
18 us to change our schedule, that we would accommodate his
19 schedule that we may have him present to this body
20 appropriately.

21 COMMISSIONER MOORE: Second.

22 CHAIRPERSON TAYLOR: It's been moved and
23 second that the Chair have the authority to work with
24 the emergency manager to arrange a meeting for a day
25 other than a Thursday. Is there any questions or

1 discussion on that? All in favor?

2 COMMISSIONERS: Aye.

3 CHAIRPERSON TAYLOR: All opposed? Motion
4 carries.

5 MR. SCOTT: Thank you.

6 CHAIRPERSON TAYLOR: You're welcome, sir. Are
7 there any other comments? Are there any other comments?

8 COMMISSIONER CRAWFORD: Madame Chair, I have a
9 comment or statement here. Mr. Scott, I know it may
10 seem abnormal and those who look at me today, my dress,
11 a hoody up, that may seem abnormal. I do also know that
12 if police officers who wear hoodies up when they are
13 working, and that's okay. And they do identify
14 themselves, Assistant Chief.

15 But the reason why I wore this hoody today was
16 in protest. And the protest is in protest of next week,
17 February 26th, next Wednesday, two years ago, 2012,
18 Trayvon Martin was killed. There was no justice.

19 Also, recently, a case was just tried in
20 Florida with Jordan Davis who was also killed. No
21 justice. In every city in America, including Detroit,
22 there has been no justice because males have been
23 killed, African American males have been killed. And in
24 some of these cases, particularly in Detroit and some of
25 the other cities, killed over nonsense, you know.

1 So, I call for next Wednesday as a remembrance
2 and in the spirit of Trayvon Martin for as you well
3 know, the basis of those two cases in Florida was about
4 Stand Your Ground Law.

5 Now, we are calling for people to stand down,
6 hoodies up, stand down, put the guns down. Next
7 Wednesday should be a day of reconciliation to reconcile
8 your differences with individuals, a day of celebration
9 of diversity and peace, you know, a day of passing it
10 forward you know. So that day, you can pass something
11 forward, be it money or whatever. And I have \$5 to give
12 to the chief. I will pass it on to the assistant chief.
13 I left my money upstairs in my suit jacket pocket.

14 And also to Madame Chair, take the \$5 that day
15 and stop somewhere in a coffee shop, buy somebody a
16 coffee. Tell them to pass that forward. You know,
17 there are 24 hours in a day, 1440 minutes in a day,
18 86,400 seconds in a day. We can do something good that
19 day and then maybe carry that on for two or three days,
20 a week, a month and perhaps for years. But, call upon
21 the news media just to not report no crime that day, to
22 report good acts and deeds just for that day, just one
23 day.

24 So, in the spirit of Trayvon Martin and all
25 the thousands who have been killed in America and the

1 ones that have been killed in the city, I might add
2 though it seems like we're getting a little justice in
3 the city because a couple weeks ago, the chief talked
4 about a hundred percent clearance rate to this point
5 this year.

6 So, but this is just for one day, the 26th.
7 And pass the word throughout the community, you know,
8 businesses can participate in doing good deeds too for
9 individuals. And all of us can do something good on
10 just the 26th of February, next Wednesday. Hoodies up,
11 stand down, guns down. Thank you.

12 CHAIRPERSON TAYLOR: Excellent. Thank you.

13 COMMISSIONER BURTON: Madame Chair, I'd like
14 if the Board can do a Resolution in the honor of Angelo
15 B. Henderson and the life and works of Mr. Henderson.

16 CHAIRPERSON TAYLOR: I don't see why not.
17 Attorney Sabree?

18 ATTORNEY SABREE: Yes.

19 CHAIRPERSON TAYLOR: A Resolution for Angelo
20 B. Henderson.

21 COMMISSIONER WHITE: Madame Chair, it would be
22 appropriate if Commissioner Burton would put that in the
23 form of a motion.

24 COMMISSIONER BURTON: I'd like to motion for a
25 Resolution for the life and works of Angelo B.

1 Henderson.

2 CHAIRPERSON TAYLOR: It's been moved.

3 COMMISSIONER MOORE: Second.

4 CHAIRPERSON TAYLOR: It's been moved and
5 seconded that there will be a Resolution for Angelo B.
6 Henderson. Is there any discussion? All in favor?

7 COMMISSIONERS: Aye.

8 CHAIRPERSON TAYLOR: All opposed? Motion
9 carries.

10 ASSISTANT CHIEF WHITE: Madame Chair, one last
11 thing from the chief's office. He asked that I pass
12 along the following information. We are still sitting
13 at a hundred percent closure rate in homicide. We have
14 a 56 percent reduction in overall homicide for the year.
15 We are currently engaged in an operation that's
16 effecting both the east and west side of the city. The
17 name of the operation is Operation Eye to Eye in honor
18 of Angelo Henderson. So far that operation has netted
19 20 arrests and five weapons recovered.

20 CHAIRPERSON TAYLOR: Thank you. Okay. Are
21 there any other comments? Are there any other comments?
22 If not, I move to adjourn.

23 COMMISSIONER WHITE: Support.

24 CHAIRPERSON TAYLOR: It's been moved and
25 supported. Meeting adjourned.

(Proceedings concluded at 4:20 p.m.)

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CERTIFICATE OF REPORTER

STATE OF MICHIGAN)
) SS
COUNTY OF MACOMB)

I HEREBY CERTIFY that I reported
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under oath at the time and place hereinbefore set forth;
that thereafter the same was reduced to computer
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full, true, complete and correct transcription of said
proceedings.



Wendy A. Boer

Wendy A. Boer,

CSR 3505

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